



# BRACH, EICHLER, ROSENBERG, SILVER, BERNSTEIN, HAMMER & GLADSTONE

A PROFESSIONAL CORPORATION

## COUNSELLORS AT LAW

101 EISENHOWER PARKWAY

ROSELAND, N. J. 07068

(201) 228-5700

TELECOPIER

(201) 228-7852

60 EAST 42ND STREET

SUITE 520

NEW YORK, N. Y. 10165

(212) 953-9110

WILLIAM L. BRACH  
BURTON L. EICHLER \*  
PAUL ROSENBERG  
ALAN H. BERNSTEIN  
STUART M. GLADSTONE \*  
HARRIS R. SILVER  
LANCE A. POSNER \*  
GEORGE Y. SODOWICK  
ALAN R. HAMMER \*  
BARRY H. OSTROWSKY  
LEONARD J. WITMAN \*  
RICHARD J. DRIVER  
DAVID J. RITTER  
JOSEPH M. GORRELL \*  
GARY D. STADTMAUER \*

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BRUCE KLEINMAN □	BRIAN R. LENKER
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JULES FARKAS	ANNA L. HACKMAN △
JOHN D. FANBURG *	MICHAEL I. SCHNECK
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JAMES T. DAVIS II	DAVID B. KAHAN †
ROBIN L. GOLDFISCHER ◇	DAVID S. BERNSTEIN
DAVID A. MEBANE *	ROBIN S. LAZAROW
JONATHAN H. BARKHORN *	GEORGETTE J. SIEGEL
	BARRY M. SCHWARTZ *

\* N. J. & N. Y.  
° N. J. & PA.  
△ N. J., N. Y. & FLA.  
□ N. J., N. Y. & D. C.  
◇ N. J. & D. C.  
† MD. & VA. ONLY

PLEASE RESPOND TO ROSELAND OFFICE

December 21, 1989

Dan Harkay  
U.S. Environmental Protection Agency  
Building 209  
Woodbridge Avenue  
Edison, New Jersey 08837

Re: 39 New York Avenue, Lot 712 Block 10A  
Jersey City, New Jersey

Dear Mr. Harkay:

This letter will confirm our recent telephone conversation regarding the property owned by our clients Richard Pascale and Marie Monck at 39 New York Avenue, Jersey City, New Jersey. As I mentioned to you, we have only recently become involved in this matter on behalf of Mr. Pascale and Mrs. Monck.

I have enclosed the Consent for Access to the property signed by Richard Pascale. As we discussed, Harvey Gerber, the contract purchaser of the property, will be conducting the site characterization work at the property in the near future, pursuant to the terms of the Contract. Therefore, there is no need for the EPA to perform this work. I understand that EPA wishes to have the opportunity to send a representative when any sampling is performed and will want the opportunity to receive split samples. We will inform you when the sampling work is being conducted and otherwise provide EPA with access to the property so that it may oversee necessary site activities.

As part of your review of this site, I suggest you consult with Dr. John Vafai of your Office of Regional Counsel. Pursuant to Dr. Vafai's request, we submitted test results to the EPA on November 3, 1989 covering soil sampling

previously conducted on the property. The results of those tests show only minimal levels of contamination, which is consistent with the uses of the property. As you know, the property owned by our client, which is at the top of a cliff, is entirely separate from the property at the base of the cliff where drum reconditioning operations of Ideal Cooperage were conducted. We have not received a response to our submission to Dr. Vafai.

As we discussed in our conversation, both Mr. Gerber and our clients are anxious to complete any necessary environmental remediation at the property in the near future, and we will be happy to work with you to accomplish that goal.

Very truly yours,

A handwritten signature in black ink that reads "Debora S. Laurano". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

DEBORA S. LAURANO

DSL:ig

cc: Harvey Gerber

CONSENT FOR ACCESS TO PROPERTY

NAME AND ADDRESS OF PROPERTY OWNER:

Mrs. Marie ~~Monk~~ **MONCK**  
99 Park Avenue  
North Arlington New Jersey 07032

LOCATION OF PROPERTY:

ADDRESS:

39 New York Avenue Jersey City, New Jersey

LOT & BLOCK : 712 10A

I consent to officers, employees and authorized representatives of the United States Environmental Protection Agency (EPA) entering and having continued access to my property for the following purposes:

- the collection of such soil, water and air samples as may be necessary;
- other actions related to the investigation of surface or sub surface contamination;

I understand that the performance of such investigatory measures may require that holes be dug or that the property may be disrupted or disturbed. I also understand that such disruption will be minimized, and that the person(s) responsible for performing the work will make all reasonable efforts to satisfy the mutually agreed to interim measure(s).

I realize that these actions by the USEPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive, Environmental Response, Compensation and Liability Act (Superfund), 42 U.S.C.- 9601 et seq.

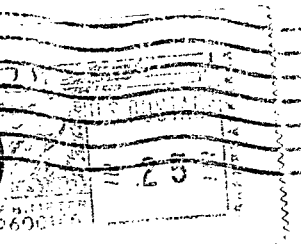
This written permission is given by me voluntarily.

Dec 12, 1989  
Date

Richard C. Pascale  
Signature

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